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## **Media Release**

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### **Delaware Joins Effort to Protect Citizens From Out-of-State Pollution**

WILMINGTON – The Delaware Department of Justice is seeking to intervene in a lawsuit in support of the Environmental Protection Agency’s proposed rule that targets air pollution flowing into the First State, state Attorney General Beau Biden announced today.

Delaware, five other states and the District of Columbia filed a motion on October 19 in the District of Columbia Circuit Court of Appeals to intervene in a lawsuit filed by the State of Kansas that challenges the EPA’s ability to implement rules that target air pollution that travels across state lines in states such as Delaware. EPA has determined that air pollution from 27 states, including New Jersey and Pennsylvania, contribute significantly to downwind states' inability to comply with federal air quality standards. EPA promulgated the Cross-State Air Pollution Rule (CSAPR) to require significant reductions of nitrogen oxides and sulfur dioxide, emitted by these 27 states beginning January 1, 2012. Delaware and its co-intervenors will ask the court to uphold EPA's efforts to gain the air pollutant reductions on behalf of their citizens.

“Delawareans should not be subjected to increased air pollution because other states do not take the necessary steps to control pollution produced within their borders,” Biden said.

Specifically, Delaware , Maryland, Connecticut, Massachusetts, Rhode Island, Vermont and the District of Columbia are asking the federal appeals court to uphold the EPA rules and allow them to go into effect January 1 as scheduled. The rules require the 27 states to undertake significant efforts to reduce nitrogen oxides, sulfur dioxide, precursor pollutants of ozone and other fine particulates.

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